

FORM  
2

Rev  
08/13

## State of Colorado

### Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203  
Phone: (303) 894-2100 Fax: (303) 894-2109



Document Number:

400477273

#### APPLICATION FOR PERMIT TO:

☐ Drill ☐ Deepen ☐ Re-enter ☒ **Recomplete and Operate**

TYPE OF WELL OIL ☒ GAS ☐ COALBED ☐ OTHER \_\_\_\_\_

Refilling ☐

ZONE TYPE SINGLE ZONE ☐ MULTIPLE ZONES ☒ COMMINGLE ZONES ☒

Sidetrack ☐

Date Received:

09/24/2013

Well Name: Kintz Well Number: 1  
Name of Operator: TOP OPERATING COMPANY COGCC Operator Number: 39560  
Address: 10881 ASBURY AVE STE 230  
City: LAKEWOOD State: CO Zip: 80227  
Contact Name: Paul Herring Phone: (720)663-1698 Fax: (303)727-9925  
Email: paul.herring@topoperating.com

#### RECLAMATION FINANCIAL ASSURANCE

Plugging and Abandonment Bond Surety ID: 19860025

#### WELL LOCATION INFORMATION

QtrQtr: SENE Sec: 8 Twp: 3N Rng: 68w Meridian: 6

Latitude: 40.242650

Longitude: -105.020890

Footage at Surface: 1812 feet FNL/FSL FNL 919 feet FEL/FWL FEL

Field Name: WATTENBERG Field Number: 90750

Ground Elevation: 5078 County: WELD

#### GPS Data:

Date of Measurement: 09/12/2012 PDOP Reading: 2.0 Instrument Operator's Name: Brian Rottinghaus

If well is ☐ Directional ☐ Horizontal (highly deviated) **submit deviated drilling plan.**

Footage at Top of Prod Zone: FNL/FSL \_\_\_\_\_ FEL/FWL \_\_\_\_\_ Bottom Hole: FNL/FSL \_\_\_\_\_ FEL/FWL \_\_\_\_\_

Sec: \_\_\_\_\_ Twp: \_\_\_\_\_ Rng: \_\_\_\_\_ Sec: \_\_\_\_\_ Twp: \_\_\_\_\_ Rng: \_\_\_\_\_

#### LOCATION SURFACE & MINERALS & RIGHT TO CONSTRUCT

Surface Ownership: ☒ Fee ☐ State ☐ Federal ☐ Indian

The Surface Owner is: ☒ is the mineral owner beneath the location.

(check all that apply) ☒ is committed to an Oil and Gas Lease.

☒ has signed the Oil and Gas Lease.

☐ is the applicant.

The Mineral Owner beneath this Oil and Gas Location is: ☒ Fee ☐ State ☐ Federal ☐ Indian

The Minerals beneath this Oil and Gas Location will be developed by this Well: Yes

The right to construct the Oil and Gas Location is granted by: oil and gas lease

Surface damage assurance if no agreement is in place: \_\_\_\_\_ Surface Surety ID: \_\_\_\_\_

## LEASE INFORMATION

Using standard QtrQtr, Sec, Twp, Rng format, describe one entire mineral lease that will be produced by this well (Describe lease beneath surface location if produced. Attach separate description page or map if necessary.)

Section 8: S/2 NE/4, 37.4 ACRES OUT OF THE SE/4NW/4; Section 9:23 acres out of the SW/4NW/4. SE/4 less 21.74 acres  
Separate map attached.

Total Acres in Described Lease: 278 Described Mineral Lease is: ☒ Fee ☐ State ☐ Federal ☐ Indian

Federal or State Lease # \_\_\_\_\_

Distance from Completed Portion of Wellbore to Nearest Lease Line of described lease: 452 Feet

## CULTURAL DISTANCE INFORMATION

Distance to nearest:

Building: 264 Feet

Building Unit: 317 Feet

High Occupancy Building Unit: 5280 Feet

Designated Outside Activity Area: 5280 Feet

Public Road: 531 Feet

Above Ground Utility: 300 Feet

Railroad: 5280 Feet

Property Line: 531 Feet

### INSTRUCTIONS:

- All measurements shall be provided from center of the Proposed Well to nearest of each cultural feature as described in Rule 303.a.(5).
- Enter 5280 for distance greater than 1 mile.
- Building - nearest building of any type. If nearest Building is a Building Unit, enter same distance for both.
- Building Unit, High Occupancy Building Unit, and Designated Outside Activity Area - as defined in 100-Series Rules.

## DESIGNATED SETBACK LOCATION INFORMATION

Check all that apply. This location is within a: ☒ Buffer Zone  
☒ Exception Zone  
☐ Urban Mitigation Area

- Buffer Zone – as described in Rule 604.a.(2), within 1,000' of a Building Unit
- Exception Zone - as described in Rule 604.a.(1), within 500' of a Building Unit.
- Urban Mitigation Area - as defined in 100-Series Rules.

Pre-application Notifications (required if location is within 1,000 feet of a building unit):

Date of Rule 305.a.(1) Urban Mitigation Area Notification to Local Government: \_\_\_\_\_

Date of Rule 305.a.(2) Buffer Zone Notification to Building Unit Owners: 09/23/2013

## SPACING and UNIT INFORMATION

Distance from Completed Portion of Wellbore to Nearest Wellbore Permitted or Completed in the same formation: 1913 Feet

Distance from Completed Portion of Wellbore to Nearest Unit Boundary 919 Feet (Enter 5280 for distance greater than 1 mile.)

Federal or State Unit Name (if appl): \_\_\_\_\_ Unit Number: \_\_\_\_\_

## SPACING & FORMATIONS COMMENTS

## OBJECTIVE FORMATIONS

Objective Formation(s)	Formation Code	Spacing Order Number(s)	Unit Acreage Assigned to Well	Unit Configuration (N/2, SE/4, etc.)
CODELL	CODL		320	E/2
NIOBRARA	NBRR		320	E/2

## DRILLING PROGRAM

Proposed Total Measured Depth: 7916 Feet

Distance to nearest permitted or existing wellbore penetrating objective formation: \_\_\_\_\_ Feet (Including plugged wells)

Will a closed-loop drilling system be used? \_\_\_\_\_

Is H<sub>2</sub>S gas reasonably expected to be encountered during drilling operations at concentrations greater than

or equal to 100 ppm? No (If Yes, attach an H2S Drilling Operations Plan)

Will salt sections be encountered during drilling? No

Will salt based (>15,000 ppm Cl) drilling fluids be used? No

Will oil based drilling fluids be used? No

BOP Equipment Type: ☐ Annular Preventor ☐ Double Ram ☐ Rotating Head ☒ None

## GROUNDWATER BASELINE SAMPLING AND MONITORING AND WATER WELL SAMPLING

Water well sampling required per Rule 318A

## DRILLING WASTE MANAGEMENT PROGRAM

Drilling Fluids Disposal: OFFSITE Drilling Fluids Disposal Methods: Commercial Disposal

Cuttings Disposal: OFFSITE Cuttings Disposal Method: Commercial Disposal

Other Disposal Description:

Beneficial reuse or land application plan submitted?

Reuse Facility ID:  or Document Number:

## CASING PROGRAM

Casing Type	Size of Hole	Size of Casing	Wt/Ft	Csg/Liner Top	Setting Depth	Sacks Cmt	Cmt Btm	Cmt Top
SURF	12+1/4	8+5/8	24	0	202	210		0
1ST	7+7/8	4+1/2	10.5	0	7864	265	7864	

☒ Conductor Casing is NOT planned

## DESIGNATED SETBACK LOCATION EXCEPTIONS

Check all that apply:

- ☒ Rule 604.a.(1)A. Exception Zone (within 500' of Building Unit)
- ☒ Rule 604.b.(1)A. Exception Location (existing or approved Oil & Gas Location now within a Designated Setback as a result of Rule 604.a.)
- ☐ Rule 604.b.(1)B. Exception Location (existing or approved Oil & Gas Location is within a Designated Setback due to Building Unit construction after Location approval)
- ☒ Rule 604.b.(2) Exception Location (SUA or site-specific development plan executed on or before August 1, 2013)
- ☐ Rule 604.b.(3) Exception Location (Building Units constructed after August 1, 2013 within setback per an SUA or site-specific development plan)

## GREATER WATTENBERG AREA LOCATION EXCEPTIONS

Check all that apply:

- ☒ Rule 318A.a. Exception Location (GWA Windows).
- ☒ Rule 318A.c. Exception Location (GWA Twinning).

## RULE 502.b VARIANCE REQUEST

☐ Rule 502.b. Variance Request from COGCC Rule or Spacing Order Number

## OTHER LOCATION EXCEPTIONS

Check all that apply:

- ☐ Rule 318.c. Exception Location from Rule or Spacing Order Number
- ☐ Rule 603.a.(2) Exception Location (Property Line Setback).

ALL exceptions and variances require attached Request Letter(s). Refer to applicable rule for additional required attachments (e.g. waivers, certifications, SUAs).

**OPERATOR COMMENTS AND SUBMITTAL**

Comments A Form 2A is not required on this recompletion because no pit will be constructed and there will be no additional surface disturbance beyond the originally disturbed area. No conductor casing will be set. A form 4 has been submitted.

No offset well evaluation spreadsheet is necessary since this is a recompleted well.

This application is in a Comprehensive Drilling Plan \_\_\_\_\_ CDP #: \_\_\_\_\_

Location ID: 319065

Is this application being submitted with an Oil and Gas Location Assessment application? No


I hereby certify all statements made in this form are, to the best of my knowledge, true, correct, and complete.

Signed: \_\_\_\_\_ Print Name: Paul Herring

Title: Landman Date: 9/24/2013 Email: paul.herring@topoperating.com

Operator must have a valid water right or permit allowing for industrial use or purchased water from a seller that has a valid water right or permit allowing for industrial use, otherwise an application for a change in type of use is required under Colorado law. Operator must also use the water in the location set forth in the water right decree or well permit, otherwise an application for a change in place of use is required under Colorado law. Section 37-92-103(5), C.R.S. (2011).

Based on the information provided herein, this Application for Permit-to-Drill complies with COGCC Rules and applicable orders and is hereby approved.

COGCC Approved:  Director of COGCC Date: 10/17/2013

Expiration Date: 10/16/2015

**API NUMBER**

05 123 10613 00

**Conditions Of Approval**

All representations, stipulations and conditions of approval stated in the Form 2A for this location shall constitute representations, stipulations and conditions of approval for this Form 2 Permit-to-Drill and are enforceable to the same extent as all other representations, stipulations and conditions of approval stated in this Permit-to-Drill.

**COA Type****Description**

	Prior to recomplete, operator must: 1) Verify existing cement above the Niobrara and across the aquifer (offset WW, IL) with a cement bond log. 2) If it is not present as follows, provide remedial cement - 200' above Niobrara (minimum cement top of 6840') and from 550' into the surface casing shoe. Verify remedial and existing cement coverage with cement bond log.
	Kintz 1 production records need to accurately reflect gas production and need to be correctly amended by November 1, 2013.

### **Best Management Practices**

<b>No</b>	<b><u>BMP/COA Type</u></b>	<b><u>Description</u></b>
1	General Housekeeping	Keep well site location, the road, and the pipeline easement free of noxious weeds. TOP Operating Co. will not permit the release or discharge of any toxic or hazardous chemicals or wastes on Owner's Land. Construct and maintain gates where any roads used by TOP Operating Co. Inc., its employees, or contractors cross through fences on the leased premises.
2	Storm Water/Erosion Control	TOP Operating Co. will employ Best Management Practices to control storm water during construction which may include silt fences, riprap and soil retention measures. Practices will be determined based on the time that the location is made, considering potential weather conditions. TOP will also work with the surface owner in determining and implementing these measures.
3	Interim Reclamation	Utilize only such areas around each producing well as is reasonably necessary. Restore the remainder of the well site location to its original condition within a reasonable time after the completion of operations. All reseeding shall be done with grasses consistent with the Rocky Mountain native mix or other grasses reasonably requested by Surface Owner.
4	Final Reclamation	All surface restoration shall be accomplished to the satisfaction of the Owner. All reseeding shall be done with grasses consistent with the Rocky Mountain native mix or other grasses reasonably requested by Surface Owner. Final reclamation shall be completed to the reasonable satisfaction of the Owner as soon as practical after installation (weather permitting) and in accordance with regulatory agency standards (BLM/COGCC).

Total: 4 comment(s)

### **Applicable Policies and Notices to Operators**

Notice Concerning Operating Requirements for Wildlife Protection.

### **Attachment Check List**

<b><u>Att Doc Num</u></b>	<b><u>Name</u></b>
400477273	FORM 2 SUBMITTED
400482118	LEASE MAP

Total Attach: 2 Files

## General Comments

<u>User Group</u>	<u>Comment</u>	<u>Comment Date</u>
Permit	Final Review Completed. No LGD or public comment received.	10/16/2013 2:03:37 PM
Permit	Changed 919' FWL to 919' FEL, change distance to nearest well from 27' to 1913', change distance to the wellbore to unit boundary from 1910' to 919' FEL per operator. ok to pass.	10/9/2013 3:00:51 PM
Permit	ON HOLD: Requesting change 919' FWL to 919' FEL, change distance to nearest well from 27' to 1913', change distance to the wellbore to unit boundary from 1910' to 919' FEL.	10/9/2013 10:19:01 AM
Permit	This form has passed completeness.	9/25/2013 12:05:22 PM
Permit	Returned to draft: No TOZ or BHL info is necessary. Distance to nearest wellbore: should be production. Since the Kintz 2 is directional the BHL is 1913' plus/minus. The original permit states unit is 320 acres. and E/2. Needs offset well spreadsheet. Please add any/all BMP's. missing letters for the exceptions. Rules 604... etc. Remove letter to surface owners.	9/25/2013 10:56:39 AM

Total: 5 comment(s)